

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

RUTH A. HUNTER, et al.,

Plaintiffs,

v.

Case No. 2:18-cv-1097

JUDGE EDMUND A. SARGUS, JR.

Magistrate Judge Elizabeth P. Deavers

RHINO SHIELD, et al.,

Defendants.

OPINION AND ORDER

This matter is before the Court on Plaintiffs' Motion for Reconsideration of the Magistrate Judge's April 30, 2021 Opinion and Order. (ECF No. 207.) The Court accepts Plaintiffs' Motion for Reconsideration as an Objection under Fed. R. Civ. P. 72(a). Plaintiffs also request an extension of the May 10, 2021 summary judgment response deadline. Defendants have filed a response in opposition (ECF No. 208) and Plaintiffs have replied (ECF No. 209).


Rule 72(a) allows a party to object to a Magistrate Judge's order on nondispositive issues. *Langenfeld v. Armstrong World Indus., Inc.*, 299 F.R.D. 547, 550 (S.D. Ohio 2014). When reviewing a Magistrate Judge's decision on a nondispositive issue, the district court applies a "clearly erroneous or contrary to law" standard of review. Fed. R. Civ. P. 72(a); 28 U.S.C. § 636(b)(1)(A). "Review under Rule 72(a) provides 'considerable deference to the determinations of magistrates.'" *Langenfeld*, 299 F.R.D. at 550 (citing *In re Search Warrants Issued Aug. 29, 1994*, 889 F. Supp. 296, 298 (S.D. Ohio 1995)). Magistrate Judges "have broad discretion to regulate nondispositive matters[.]" *Sherrod v. Enigma Software Grp. USA, LLC*, No. 2:13-CV-36, 2014 WL 309948, at *2 (S.D. Ohio Jan. 28, 2014) (quoting *Carmona v. Wright*, 233 F.R.D. 270, 276 (N.D.N.Y. 2006)). Reversal is warranted only if that discretion is abused. *Id.* "An abuse

of discretion exists when the court applies the wrong legal standard, misapplies the correct legal standard, or relies on clearly erroneous findings of fact.” *Arucan v. Cambridge E. Healthcare/Sava Seniorcare LLC*, No. 16-12726, 2018 WL 272244, at *1 (E.D. Mich. Jan. 3, 2018) (citing *First Tech. Safety Sys., Inc. v. Depinet*, 11 F.3d 641, 647 (6th Cir. 1993)); *see also* 12 Fed. Prac. & Proc. Civ. § 3069 (3d ed.) (“In sum, it is extremely difficult to justify alteration of the magistrate judge’s nondispositive actions by the district judge.”).

The Court has considered Plaintiffs’ Objection and finds no error or abuse of discretion. The Court agrees with the Magistrate Judge and **ADOPTS** in full the April 30, 2021 Opinion and Order (ECF No. 206) as the Opinion and Order of this Court. Accordingly, the Court **DENIES** Plaintiffs’ Motion for Reconsideration. (ECF No. 207.) The Court grants both parties an extension of the summary judgment response deadline. The parties shall file their responses to the pending motions for summary judgment by May 17, 2021. This case is to remain open.

IT IS SO ORDERED.

5-10-2021
DATE


EDMUND A. SARGUS, JR.
UNITED STATES DISTRICT JUDGE